

Commissioners

MARISEL A. HERNANDEZ, *Chair*
WILLIAM J. KRESSE, *Commissioner/Secretary*
JONATHAN T. SWAIN, *Commissioner*
LANCE GOUGH, *Executive Director*



Board of Election Commissioners for the City of Chicago
Regular Board Meeting
Tuesday, February 26, 2019
7:00 a.m.
Room 800, Office of the Chair
69 West Washington Street
Chicago, Illinois 60602

Agenda

Board Members:

Marisel A. Hernandez, Chairwoman
William J. Kresse, Commissioner/Secretary
Jonathan T. Swain, Commissioner

Staff:

Lance Gough, Executive Director
Adam W. Lasker, General Counsel
James P. Allen, Communications Director
Trish Sheehy

Guests:

No guests were present during the 7:01 a.m. session.

- I. Call to Order: Chair called the meeting to order at 7:01 a.m.
- II. Consideration of Agenda: Approved as presented
- III. Election Day
 - A. Possible removal of judges of election:
General Counsel Adam Lasker reported that at that time there weren't any requests for removals, but there was at least one situation being investigated for possible removal.
 - B. Possible court action to address late polling place openings:
So far everything seems to be fine. Executive Director Lance Gough already had investigators dispatched to a couple of precincts to see if they opened on time. Mr. Gough reported that of the 2,069 precincts, only 1-2 might have had issues with opening, and investigators are looking into these. Reports show that 79% of ePOLLBOOKS were up and running, and that 87% of HAATS reported on time.
- IV. Public Comment: none

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V. Recess: Commissioner Swain moved to recess until the call of the Chair. Commissioner Kresse seconded the motion. The Board recessed at 7:04 a.m.

At the call of the Chair, the Board reconvened at 9:10 a.m.

Board Members:

Marisel A. Hernandez, Chairwoman
William J. Kresse, Commissioner/Secretary
Jonathan T. Swain, Commissioner

Staff:

Lance Gough, Executive Director
Adam W. Lasker, General Counsel
James P. Allen, Communications Director
Trish Sheehy

Guests:

No guests were present during the 9:10 a.m. session.

VI. The Chair reconvened the meeting at 9:10 a.m.

VII. Election Day

A. Possible removal of judges of election:

1. General Counsel Adam Lasker requested that the Board order Ms. Katherine G. Charley, an assigned Democratic Judge of Election in Precinct 26 of Ward 34 be removed as a Judge of Election. It was reported that Ms. Charley was abusive and uncooperative with other Judges of Election and the Board's Investigator. She appeared inebriated and smelled of alcohol. The Principal of the school where the polling place is located requested that Ms. Charley be removed from the polling place as students were present and Ms. Charley's behavior was inappropriate. The Board's Investigator saw, in the first person, that Ms. Charley was inebriated and abusive.

Commissioner Swain moved to have Katherine G. Charley, Democratic Judge of Election in Precinct 26 of Ward 34, removed for cause.
Commissioner Kresse seconded the motion. The motion was passed by a 3:0 vote of the Board. The Board signed an Order and Notice of Removal in open session.

B. Possible court action to address late polling place openings:

Mr. Lasker provided an update regarding polling places that opened late. He and others reviewed the help desk entries and further investigated the reports on "late openings" and found that:

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1. Precinct 3 of Ward 5 had no electricity or heat, but used the backup power supply on e-poll book to process voters. The proprietor was finally contacted and the polling place had heat and electricity restored. No voters from Precinct 3 of Ward 5 were turned away. As such, there is no need for a court order for this polling place to remain open beyond the scheduled hours.
2. Precincts 24 and 5 of the 31st Ward (combined polling place). Only 1 judge of election for Precinct 24 arrived on time, but the election coordinator and judges from Precinct 5 assisted in setting up both precincts. We should not need a court order to hold this polling place open beyond the scheduled hours because no voters were turned away.
3. Precinct 21 of Ward 18. Four voters could not wait for the polls to be opened. These voters names were taken, and they each said that they were going to return to vote by 7:00 p.m. Thus, no voters were disenfranchised.

There appears to be no need for a court order to keep any polling places open for voting beyond 7:00 p.m.

VIII. Public Comment: none

IX. Recess:

Commissioner Kresse moved to recess until the call of the Chair. Commissioner Swain seconded the motion. The motion passed by unanimous vote of the Board. The Board recessed at 9:16 a.m.

At the call of the Chair, the Board reconvened at 12:20 p.m.

Board Members:

Marisel A. Hernandez, Chairwoman
William J. Kresse, Commissioner/Secretary
Jonathan T. Swain, Commissioner

Staff:

Lance Gough, Executive Director
Adam W. Lasker, General Counsel
James P. Allen, Communications Director
Anabel Abarca, Law Clerk
Trish Sheehy

Guests:

No guests were present during the 12:20 p.m. session.

X. The Chair reconvened the meeting at 12:20 p.m.

XI. Election Day

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A. Possible removal of judges of election:

1. Board Law Clerk Anabel Abarca requested the Board order the removal of Ramona T. Alonzo, assigned Democratic Judge of Election in Precinct 35 of Ward 26, as a Judge of Election. Ms. Abarca reported that Ms. Alonzo had violated the Judges Code of Conduct, to wit, that Ms. Abarca left the polling place and returned with a person who said that he was a member of a gang, that Ms. Alonzo was electioneering in the polling place by encouraging voters to vote for candidate Roberto Maldonado, and that Ms. Alonzo used profanity and intimidation tactics toward fellow poll workers and made several racist comments.

Commissioner Swain moved to have a Ramona T. Alonzo, Democratic Judge of Election in Precinct 35 of Ward 26, removed as a Judge of Election. Commissioner Kresse seconded the motion. The Board voted 3:0 to order the removal of Ramona T. Alonzo as a Judge of Election. The Order and Notice of Removal were signed in open session.

B. Possible court action to address late polling place openings:

Mr. Lasker provided an update regarding polling places that were late opening. There is only one precinct for which Mr. Lasker recommends that the Board seek a Temporary Restraining Order from the Circuit Court requiring the 3rd Precinct of the 45th Ward polling place remain open for voting until 8:00 p.m.

The Board was not initially aware of the late opening because the precinct is in a combined polling place at Independence Park, and the room was set up and staffed, but there were equipment issues in the 3rd Precinct. The Judges of Election were unable to open the Equipment Supply Carrier (ESC) until around 6:45 a.m. Once the Judges were able to access the ESC, they had technical difficulties with the e-poll book (EPB), such that voters could not be checked in and allowed to vote until around 8:00-8:15. The touchscreen was not functioning and was replaced at 10:00 a.m. About 10-15 voters were turned away. Some voters returned, but the status of several other voters is unknown. We are unable to identify whether or not these voters will be able to return to the polling place by 7:00; some had indicated that they would not be able to make it back by 7:00, but might be able to return by 8:00 to vote.

Chair Hernandez stated that this was a reasonable request to give the opportunity to those who tried to vote, and due to no fault of their own, were not allowed to vote at that time.

Commissioner Kresse moved to have the General Counsel file an Emergency Motion for a Temporary Restraining Order to keep Precinct 3 of Ward 45 open for voting until 8:00 p.m. Commissioner Swain seconded the motion. The motion was passed by unanimous vote of the Board.

XII. Public Comment: none

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XIII. Recess: Commissioner Swain moved to recess until the call of the Chair. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board. The Board recessed at 12:26 p.m.

At the call of the Chair, the Board reconvened at 3:21pm

Board Members:

Marisel A. Hernandez, Chairwoman
William J. Kresse, Commissioner/Secretary
Jonathan T. Swain, Commissioner

Staff:

Lance Gough, Executive Director
Joan T. Agnew, Deputy Counsel
Anabel Abarca, Law Clerk
Trish Sheehy

Guests:

No guests were present during the 3:21 p.m. session.

XIV. The Chair reconvened the meeting at 3:21 p.m.

XV. Election Day

A. Possible removal of judges of election:

1. Board Law Clerk Anabel Abarca requested that the Board order the removal of Desiree L. Morris, an assigned Republican Judge of Election, in Precinct 9 of Ward 7. Ms. Abarca reported that Ms. Morris had violated the Judges Code of Conduct, to wit, she argued with fellow Election Judges about the setup of equipment, and she became angry and made threats toward one of the other Judges. Ms. Morris was escorted off the premises by a Board Investigator on the scene, and was told that she should not return to the polling place, but that she could return to vote if she didn't disrupt the polling place. Two investigators were on site. There are enough judges present to take over Ms. Morris' duties.

Commissioner Kresse moved to have a Desiree L. Morris, Republican Judge of Election in Precinct 35 of Ward 26, removed as a Judge of Election. Commissioner Swain seconded the motion. The Board voted 3:0 to remove Desiree L. Morris as a Judge of Election and signed the Order and Notice of Removal in open session.

XVI. Public Comment: none

XVII. Recess: Commissioner Kresse moved to recess until the call of the Chair. Commissioner Swain seconded the vote. The Board voted unanimously to recess. The Board recessed at 3:23 p.m.

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At the call of the Chair, the Board reconvened at 7:07 pm.

Board Members:

Marisel A. Hernandez, Chairwoman
William J. Kresse, Commissioner/Secretary
Jonathan T. Swain, Commissioner

Staff:

Lance Gough, Executive Director
Adam Lasker, General Counsel
Anabel Abarca, Law Clerk
Trish Sheehy

Guests:

David Schaffer, Miller Canfield
Michael Kreloff, SEIU Illinois Council
Daniel J. Bolin, Ancel Glink

XVIII. The Chair reconvened the meeting at 7:07 p.m.

XIX. Election Day

A. Possible removal of judges of election:

1. Law Clerk Anabel Abarca presented to the Board the pertinent facts regarding the request for an Order of Removal of Judge of Election Fannie Mae Seals, appointed to serve in the 30th Precinct of the 35th Ward as a Democratic Judge of Election. Ms. Seals violated the Judges of Election Code of conduct in that she arrived late, and was absent from the polling place for several hours; Election Board records showed that Ms. Seals showed similar behavior during prior elections.

Ms. Abarca reported that an Investigator was dispatched to the scene and sent back a report confirming the complaint.

General Counsel Lasker added that we probably will not pay Ms. Seals because of her lack of work and that Ms. Seals will be noticed by mail.

Commissioner Swain moved to order the removal of Fannie Mae Seals as a Judge of Election. Commissioner Kresse seconded the motion. The motion was approved by a 3:0 vote of the Board and the Order and Notice of Removal was signed in open session.

XX. Public Comment: none

VI. Adjourn: The Chair asked if there was any further business to be brought before the Board. Mr. Lasker said that there were no additional matters. Mr. Lasker reported that the Board

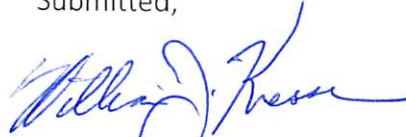
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did get the Court Order regarding Precinct 3 of Ward 45 to keep it open for voting until 8:00 p.m. Mr. Gough added that as of 7:00 pm the office and Judges of Elections are shifting gears to start counting votes.

Commissioner Swain moved to adjourn the meeting. Commissioner Kresse seconded the motion.

The motion passed by unanimous vote of the Board. The meeting was adjourned at 7:10 p.m.

Submitted,

A handwritten signature in blue ink, appearing to read "William J. Kresse", is written over the printed name.

Commissioner William J. Kresse
Secretary